

NO. 23092

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

PAUL J. CUNNEY, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CASE NO. 128 OF 12/3/99)

ORDER DENYING MOTION FOR RECONSIDERATION¹

The motion for reconsideration filed on January 2, 2003, by Defendant-Appellee Paul J. Cunney, requesting that the court reconsider its Summary Disposition Order, filed on December 23, 2002, is hereby denied.

DATED: Honolulu, Hawai'i, January 16, 2003.

Timothy I. Mac Master
for defendant-appellee
on the motion

Based on my dissenting opinion, I dissent.

¹The motion for reconsideration was considered by: Moon, C.J., Levinson, Nakayama, and Acoba, JJ., and Intermediate Court of Appeals Chief Judge Burns, assigned by reason of vacancy.